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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Oman*

A. Purpose and general obligations (arts. 1-4)

1. Please explain in what way and manner the Convention is incorporated into or applied under the Basic Law of the State to be usable by persons with disabilities.

2. Please provide information on:

(a) The measures in place to harmonize laws and policies with the standards of the Convention, in particular to ensure that the concept of disability is fully in line with the human rights model of disability stated in such laws as the Care and Rehabilitation of the Disabled Act of 2008, which guarantees rights and principles, and the Children's Act;

(b) The full inclusion of women and children with disabilities in the Care and Rehabilitation of the Disabled Act, the Children's Act and all other laws and policies designed to benefit persons with disabilities;

(c) The resources allocated for the implementation of the Care and Rehabilitation of the Disabled Act, the Children's Act and all other laws and policies designed to promote the full inclusion of all persons with disabilities in the State party.

3. Please provide information on the concrete mechanisms adopted for persons with disabilities, including through their representative organizations, to consult and enable them to participate in the legislative and administrative processes and other matters that affect them, including in particular women and children with disabilities.

4. Please provide information on when the State party intends to ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

5. Please provide information on the measures taken to extend the application of reasonable accommodation across all sectors of Omani public and private life and provide information on whether the denial of reasonable accommodation is defined as discrimination and prohibited under domestic law.

6. Please provide statistical data on reports on violations of the rights of persons with disabilities, particularly reports on discrimination and on any investigations conducted, sanctions imposed and/or remedies provided to victims, particularly women and girls with disabilities, who are affected by multiple and intersectional discrimination.

* Adopted by the pre-sessional working group at its eighth session (4-8 September 2017).

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Women with disabilities (art. 6)

7. Please provide information on the measures taken to bring the rights and the positive image of women and girls with disabilities as rights holders into the mainstream of gender equality policies and strategies, and to combat the discrimination experienced in all areas of life by women and girls with disabilities, especially discrimination arising from traditional and cultural practices. Please provide information on examples of collaboration with organizations of women and girls with disabilities.

8. In line with Sustainable Development Goal 5.2, on the elimination all forms of violence against women and girls with disabilities in the public and private spheres, including trafficking and sexual and other forms of exploitation, please:

(a) Provide data and information on gender-based violence and any programmes designed to protect and support women and girls with disabilities against violence;

(b) Indicate steps envisaged to enact a new law on combating violence against women that includes a disability perspective in the definition of violence and addresses the specific barriers faced by women and girls with disabilities in gaining access to justice.

Children with disabilities (art. 7)

9. Please provide information on the composition of the Child First Association and the Children's Parliament, including the number of children with disabilities therein disaggregated by sex, age and disability type. Please also report on the weight given to the views of children with disabilities in the Child First Association and the Children's Parliament.

10. Please report on specific safeguards under relevant laws and policies for the protection of children with disabilities from violence and abuse.

Awareness-raising (art. 8)

11. Please provide information on the involvement and participation of persons with disabilities through their representative organizations in awareness-raising campaigns, with particular reference to their participation in the planning and implementation of programmes around different disability day celebrations.

12. Please provide information on the measures taken to combat stereotypes, prejudices and harmful practices relating to persons with disabilities in all areas of life.

13. Please inform the Committee as to whether the State party has evaluated the effectiveness of the involvement of the media in projecting a positive image of persons with disabilities, particularly with regard to the recognition of their skills, merits and abilities and the recognition of their contributions to the workplace and the labour market.

Accessibility (art. 9)

14. Please inform the Committee of any strategic accessibility plan the State party has in place to create a barrier-free society in the State party, including the regulations under the Disability and Care Rehabilitation Act to promote barrier-free environment, including accessibility to information and communication technologies. Please also provide information on access to buildings, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces, both in rural and urban areas.

Right to life (art. 10)

15. Please provide information on the measures taken to protect children with disabilities against "honour killing", especially by their mothers.

Equal recognition before the law (art. 12)

16. Please report on the measures taken by the State party to move from substituted decision-making to supported decision-making in line with the Committee's general comment No. 1 (2014) on equal recognition before the law.

Access to justice (art. 13)

17. Please provide information on the measures taken to guarantee protection for persons with disabilities at all levels of the judicial process, including their unhindered access to information in accessible formats and access to all judicial facilities. Please also report on any programmes for the training of personnel of the judicial system on the Convention and the measures taken in relation to implement procedural accommodation, gender and age appropriate accommodation in judicial proceedings.

Liberty and security of the person (art. 14)

18. Please provide statistical data on the number of persons with disabilities in mental health facilities and detention disaggregated according to sex and type of impairment and any measures in place to protect their liberty and security. Please also inform the Committee of the measures taken to seek redress by persons with disabilities who are arbitrarily or unlawfully detained, and of the measures in place to train mental health professionals and prison officials to respect the dignity, liberty and security of persons with disabilities in mental health facilities, prisons and detention centres.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

19. Please inform the Committee of any strategic measures taken to protect children with disabilities from torture, cruel, inhuman or degrading treatment or punishment and on public awareness campaigns to prevent such ill-treatment of children with disabilities, especially within the home and school settings. Please state if any sanctions have been imposed for violations of such violence and abuse against children with disabilities.

20. Please provide information, including statistical data, on cases of violence against and abuse of persons with disabilities, including children and migrant workers with disabilities, disaggregated by sex and age, which were reported to law enforcement agents, and the outcome of the proceedings. Please also inform the Committee of the measures adopted to implement, monitoring mechanisms, and effective, enforceable remedies and penalties for perpetrators, and of the measures adopted to provide accessible services, including shelters, and information in accessible formats for persons with disabilities exposed to violence.

Living independently and being included in the community (art. 19)

21. Please inform the Committee of the community-based services available for persons with disabilities to live independently within the community, including financial support and other services to help cover the extra costs associated with having a disability.

Freedom of expression and opinion, and access to information (art. 21)

22. Please explain if sign language has been recognized as an official language of deaf persons and if it is available to be used in official matters.

Education (art. 24)

23. Please provide information on the concrete measures taken towards the promotion of inclusive education, including through the adoption of laws, policies and programmes with measurable indicators and timelines. Also provide information on budget allocations for the promotion of inclusive education, including for training of teachers and for ensuring that schools are adequately staffed and funded.

24. Please provide data disaggregated by sex and type of impairment on the number of children with disabilities mainstreamed into the regular school environment with adequate teaching methodologies to enable them to reach their full potential. Please also provide information on cases of discrimination against children with disabilities in these schools and on the measures taken to ensure that children with disabilities are treated with dignity and respect and are benefiting from effective school inclusion programmes.

Health (art. 25)

25. Please provide information on the measures taken to make the physical environment of health institutions accessible to persons with disabilities, including provision of information in accessible formats such as Braille, sign language and Easy-Read for persons who are blind or visually impaired, deaf or hard of hearing and persons with intellectual disabilities respectively. Also provide information on services, information and educational programmes that are available for persons with disabilities throughout the State party, especially for women and girls, young persons and migrant workers with disabilities, concerning sexual and reproductive health and rights, including their right to free and informed consent on health matters.

Work and employment (art. 27)

26. Please provide statistical data on persons with disabilities employed in the public and private sector, disaggregated by sex, age and type of impairment, as a result of the employment affirmative action under article 9 of the Disability Care and Rehabilitation Act. Also provide information on the measures taken to prevent discrimination in the workplace, including the provision of reasonable accommodation to all persons with disabilities. Furthermore, please provide information on the composition of the Committee for Training and Employing and the Subcommittee for Rehabilitation, Training and Employment for persons with disabilities.

Adequate standard of living and social protection (art. 28)

27. Please provide information on the measures taken to provide families of children with disabilities, including families of parents with disabilities, support services to attain an adequate standard of living, including the provision of financial support to help cover the extra costs associated with having a disability.

Participation in political and public life (art. 29)

28. Please provide information on the measures taken to ensure secrecy in the voting process for persons with disabilities, and the measures taken to provide an accessible and conducive voting environment for persons with disabilities, including accessible physical environment and information in accessible formats, such as Braille, sign language and Easy-Read documents for persons who are blind or visually impaired, deaf and hard of hearing and persons with psychosocial and intellectual disabilities, respectively.

Participation in cultural life, recreation, leisure and sport (art. 30)

29. Please inform the Committee of any measures taken by the State party towards the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. Please also inform the Committee of the measures taken to ensure the full inclusion, equal access and participation of persons with disabilities in all sporting activities and facilities as well as on the composition of the subcommittee of sports for the disabled.

C. Specific obligations (arts. 31-33)

Statistics and data collection (art. 31)

30. Please inform the Committee of the measures taken to include persons with disabilities, through their representative organizations, in the processes of designing, implementation and monitoring of data-collection systems. Also provide information on the results of the comprehensive survey of persons with disabilities conducted by the National Committee for the Care and Rehabilitation of the Disabled. Please provide information on whether the State party is using the Washington Group set of questions on disability in its statistical data-collection policy and programmes, including in censuses and household surveys.

National implementation and monitoring (art. 33)

31. Please clarify the organs within the Government that have been designated as focal point or focal points to implement the Convention. Please inform the Committee of the measures adopted to establish an independent monitoring framework in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) to monitor the implementation of the Convention.